

4644

1 BILL NO. R-79-09-27

2 RESOLUTION NO. R-~~48-79~~ (AMENDED)

56-79

3 A RESOLUTION of the Common Council  
4 of the City of Fort Wayne to amend  
5 a scrivenor's error in Resolution  
6 No. R-48-79 which sets forth the  
7 policy of the City in regard to  
8 newly annexed areas.

9 WHEREAS, the annexation of territory to the City is a legislative  
10 function; and

11 WHEREAS, the Common Council is called upon in the preparation of  
12 the City budget to provide for the furnishing of municipal services to the  
13 entire City, including newly annexed areas; and

14 WHEREAS, the Common Council desires that newly annexed areas receive  
15 the full measure of municipal services; and

16 WHEREAS, the City of Fort Wayne is desirous of following the annexa-  
17 tion requirements of Indiana annexation law;

18 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY  
19 OF FORT WAYNE, INDIANA:

20 SECTION 1. That written fiscal plans shall be developed for provid-  
21 ing municipal services to territories to be annexed to the City.

22 SECTION 2. That it is the policy of the City of Fort Wayne to  
23 provide services to annexation areas in a manner consistent with said plans.

24 SECTION 3. That each fiscal plan shall include cost estimates of  
25 planned services to be furnished to the territory to be annexed.

26 SECTION 4. That each fiscal plan shall state the method or methods  
27 of financing the planned services.

28 SECTION 5. That each fiscal plan shall describe a plan for the  
29 organization and extension of services to the annexation area.

30 SECTION 6. It is the policy of the City that it will begin providing  
31 police and fire protection, emergency medical service, solid waste collection,  
32 traffic engineering, street and road maintenance and other noncapital services  
of the City that are normally provided within its corporate limits, immediately  
upon annexation. It is also the policy of the City that within one (1) year  
from the effective date of annexation these services will be provided to the

newly annexed area in a manner which is equivalent in standard and scope to those noncapital services normally provided to areas within the City which have similar topography, patterns of land utilization, and population density.

SECTION 7. It is the policy of the City that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years of the annexation, in the same manner as those services are provided to areas within the City which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 8. That each fiscal plan will include a plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

SECTION 9. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

James Ithra  
Council

Councilman

APPROVED AS TO  
FORM & LEGALITY

William N. Salin, City Attorney

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (PASSED) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 9-25-78

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
(RESOLUTION) No. Q-56-78, on the 25th day of September, 1978.  
ATTEST: (SEAL)

Charles W. Utterman Winfield C. Massey Jr.  
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th  
day of September, 1978 at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Utterman  
CITY CLERK

Approved and signed by me this 28th day of September, 1978,  
at the hour of 4:30 o'clock P M., E.S.T.

Robert L. Sundberg  
MAYOR



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802  
city plan commission

19 September 1979

TO: Those Listed

FROM: Paul Norby, Long Range Planning & Zoning - CD&P *(Signature)*

SUBJECT: Scrivener's error in General Annexation Resolution, Bill No. R-79-08-40,  
Resolution No. R-48-79

CC: Members of the Common Council  
Charles Westerman, City Clerk  
John Logan, Common Council Attorney  
Kenneth Scroggins, City Plan Commission Attorney

We have discovered a scrivener's error in Section 6 of the General Annexation Resolution already passed by City Council and signed by the Mayor. Since this Resolution sets City policy for all annexations, we feel it best to correct the error and prevent any misunderstanding of the City's intentions.

Specifically, the word "with" in the second sentence of Section 6 of R-48-79 should be changed to the word "within". To avoid jeopardizing any annexation ordinances being considered by the City, this correction should be made as soon as possible.

PN:pb

4644

DIGEST SHEET

Q-79-09-27

TITLE OF ORDINANCE Amendment to General Annexation Resolution R-48-79

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Correction of a scrivener's error in the City's General Annexation Resolution which sets forth a policy in regard to newly annexed areas. Change the word "with" in the second sentence of Section 6 to the word "within".

EFFECT OF PASSAGE Scrivener's error is corrected and the resolution is made clearer.

EFFECT OF NON-PASSAGE Resolution could be confusing to some readers.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)